GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:4195
ANSWERED ON:28.03.2017
Overcrowding in Jails
Panda Shri Baijayant "Jay"

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether prisons in the country are overcrowded by 150 per cent and if so, the details thereof along with the action taken by the Government to address this situation;

(b) whether cramming of cells beyond the permissible limit breaches the fundamental and human rights of the prisoners/undertrials and if so, the details thereof along with the measures taken to tackle the same;

(c) whether in spite of directions by the court, the prison authorities have not
been able to take effective steps for reducing overcrowding and if so, the corrective action taken in this regard; and

(d) whether the Government has formulated a viable plan of action to decongest the jails, if so, the details and if not, the reasons therefor?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI HANSRAJ GANGARAM AHIR)

(a) to (d) : As per data collected by National Crime Records Bureau from States/UTs at the end of year 2015, a total of 419623 inmates were lodged in 1401 different categories of jails of the country against the sanctioned capacity of 366781, indicating an occupancy rate of 114.4%.
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'Prisons' is a State subject and prison administration is primarily the responsibility of concerned States. However, the Government of India has been providing support and guidance to the State Governments in efficient
prison management through various advisories issued from time to time and also through the Model Prison Manual 2016.
The Government of India has taken various administrative and legislatives measures for reducing the number of undertrials in the prisons with a view to addressing the issue of overcrowding. Some of the initiatives taken are: (a) Establishment of Fast Track Courts (FTCs), (b) Creation of additional capacity of prisons through the scheme of Modernization of Prisons, (c) Launch of National Mission for Justice Delivery and Legal Reforms, and (d) Insertion of a new section viz. 436A in the Criminal Procedure Code etc.

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